

**Town of Edgartown
Selectboard
April 19, 2022
4:00 pm**

A meeting of the Board was held on the above date via Zoom Teleconference. Members present were: Michael J. Donaroma, Chairman; Margaret Serpa and Arthur Smadbeck. Also present was the Town Administrator James Hagerty.

At 4:00 pm Mr. Donaroma opened the meeting then recognized Mr. Hagerty.

Mr. Hagerty read out the following statement:

As a preliminary matter, this is James Hagerty, Town Administrator. Permit me to confirm that all members and persons anticipated on the agenda are present and can hear me.

- *Members, when I call your name, please respond in the affirmative. State each members' name.*

Mr. Donaroma, Ms. Serpa and Mr. Smadbeck all answered in the affirmative.

Mr. Hagerty then continued:

Good afternoon. This Open Meeting of the Edgartown Selectboard is being conducted remotely consistent with Governor Baker's Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of the "COVID-19 Virus." In order to mitigate the transmission of the COVID-19 Virus, we have been advised and directed by the Commonwealth to suspend public gatherings, and as such, the Governor's Order suspends the requirement of the Open Meeting Law to have all meetings in a publicly accessible physical location. Further, all members of public bodies are allowed and encouraged to participate remotely. The Order allows public bodies to meet entirely remotely so long as reasonable public access is afforded so that the public can follow along with the deliberations of the meeting. Ensuring public access does not ensure public participation unless such participation is required by law. This meeting will feature public comment.

For this meeting, the Edgartown Selectboard are convening by via Zoom App as posted on the Town's Website identifying how the public may join for "Zoom" Meetings.

Please note that this meeting is being recorded, and that some attendees are participating by video conference. Accordingly, please be aware that other folks may be able to see you, and that take care not to "screen share" your computer. Anything that you broadcast may be captured by the recording.

Meeting Business Ground Rules:

Before the meeting is opened by the Chair, permit me to cover some ground rules for effective and clear conduct of our business and to ensure accurate meeting minutes.

- o Please remember to mute your phone or computer when you are not speaking;*
- o Please remember to speak clearly and in a way that helps generate accurate minutes*

For Items with Public Comment:

After members have spoken, I will afford public comment as follows:

- *I will first ask members of the public who wish to speak to identify their names and addresses only;*
- *You will then be called upon one at a time to speak.*

Mr. Donaroma then opened the meeting. He stated that he had enjoyed his time as Chair, but that it was time to switch. He recognized Mr. Smadbeck. Mr. Smadbeck nominated Ms. Serpa to be Chair. Mr. Donaroma seconded. Ms. Serpa abstained. Unanimous.

Ms. Serpa then continued the meeting as Chair and addressed the first item on the agenda which was an alcohol license hearing for The Town. *"Notice is hereby given, that the Select Board will hold a public hearing for 227 Upper Main Street, LLC d/b/a Town Bar and Grill, MV, Alexander Tamargo Manager, in accordance with the provisions of Chapter 138 of the Massachusetts General Laws and amendments thereto, related to police reports received regarding alcohol consumption and service after hours, as well as violations of the Town noise by law and entertainment license. The Select Board as the local licensing authority may suspend or modify the liquor license."* Present was Manager Alexander Tamargo and Police Chief Bruce McNamee. Mr. Donaroma recused himself from the hearing.

Mr. Tamargo apologized. The managers on duty in these incidents did not report them to him as the manager on the license. This activity was inexcusable. It's a family establishment. The manager and general manager were let go as a result of these incidents and the policies and procedures have been updated and will be reviewed with staff.

Chief McNamee stated that this activity was not expected conduct from any establishment in Edgartown. There have been ongoing issues. Noise complaints in 2019. The two incidents in the police reports and another ongoing incident that was still under investigation that he couldn't discuss. He recommended some sort of immediate steps and corrective action was needed.

Mr. Smadbeck thought making them close at 11pm would be appropriate. It was not a bar and does not need to be open until midnight.

Mr. Hagerty suggested setting a date for review such as August 1st.

Ms. Serpa closed the hearing at 4:11pm.

Mr. Smadbeck moved to modify the Town Bar and Grill, MV Liquor License, rolling back the closing hours to 11:00 pm, effective immediately through August 1, 2022 when it will be reviewed for any further violations. If none, the Board may reinstate the later closing. Ms. Serpa seconded. Unanimous.

Ms. Serpa then addressed the next item on the agenda which was a new commercial marine license for the Vineyard Preservation Trust for two slips at the Norton Boathouse property pier on Dock St. Present was Executive Director Nvetter Previd.

Ms. Previd stated that there are four slips, but only two are licensed for commercial use at this time. The two commercial slips are what the Marine Advisory Committee and Harbormaster have approved.

Mr. Smadbeck moved to approve the new commercial marine license for two slips. Mr. Donaroma seconded. Unanimous.

The Board then approved the following items:

A Common Victualler License renewal for the Tropical Bakery.

Lodging House License Renewals – The Christopher, The Richard, The Sydney and the Edgartown Inn

Award the CDBG Grant Administration to Bailey, Boyd and Associates.

The Minutes of April 11th.

The weekly payroll and bill warrants.

At 4:16 PM Mr. Smadbeck moved to adjourn. Mr. Donaroma seconded. The Board did a rollcall vote and all voted Aye. Unanimous

Approved:

Margaret E. Serpa, Chairman

Arthur Smadbeck

Michael J. Donaroma
Board of Selectmen

Respectfully submitted,

Kristy Rose
Administrative Assistant